INVESTIGATIVE NARRATIVE
OFFICER INVOLVED - HIT SHOOTING
SH 2118458
004–05678-1618-055

DATE:	April 21, 2004 (Wednesday)
TIME:	1617 hours
LOCATION:	265 E. Carson Street, Carson

On April 21, 2004, Sergeants Gregory Key and Brian Morris and Lieutenant Curtis Jensen of the Internal Affairs Bureau responded to 265 E. Carson Street, Carson (Carson Lock and Safe), regarding an officer involved hit shooting. Homicide Detectives Tapia and Martinez also responded and handled the criminal investigation. Lieutenant Daniel Rosenberg of the Homicide Bureau briefed us. Commander Miller was present as well as members from the Risk Management Bureau, Training Bureau, Office of Independent Review and the District Attorney's Office.

SYNOPSIS

On Wednesday, April 21, 2004, Sergeant Carlos Jaen (assigned to Transit Services Bureau, Unit 600S) was at the location (Carson Lock and Safe) when he heard what he thought was a car back firing. Jaen went outside and observed a green vehicle with a male Hispanic passenger firing several rounds at a full size sports utility vehicle. The male Hispanic passenger (later identified as Subject Junas Taclay) turned toward Jaen and pointed a hand gun directly at him. Jaen, fearing for his safety, fired three rounds at Taclay, missing him.

One of Sergeant Jaen's rounds traversed through the front window of a nearby business, "Realty World," located at 302 East Carson Street. The bullet caused the window glass to shatter, and a piece of glass cut Victim [redacted] left ear lobe, causing three small scratches. She was treated by responding paramedics for a small laceration and released.

Both the suspect's vehicle and the SUV turned right onto Carson street and continued west, turning right onto an unknown street.

The area was contained and Subject Taclay was apprehended. Sergeant Jaen performed a field show-up and positively identified Taclay as the person he saw shooting from the green vehicle at the SUV, and the same person who pointed a hand gun at him. Taclay was arrested without further incident. The suspect's weapon was not recovered.

INVOLVED PERSONNEL

Jaen, Carlos, Sergeant #[redacted] MW/29 601 195
Region II
Transit Services Bureau

Date of Employment:	03/28/80
Date assigned to TSB:	04/27/03
Date completed patrol training:	 [redacted]
Prior Shooting Incidents:	[redacted]

SUSPECT/INMATE:

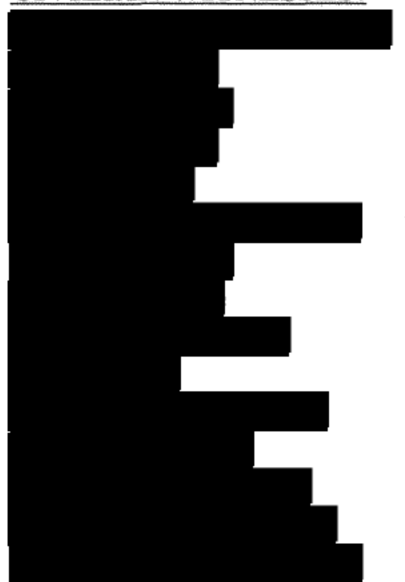
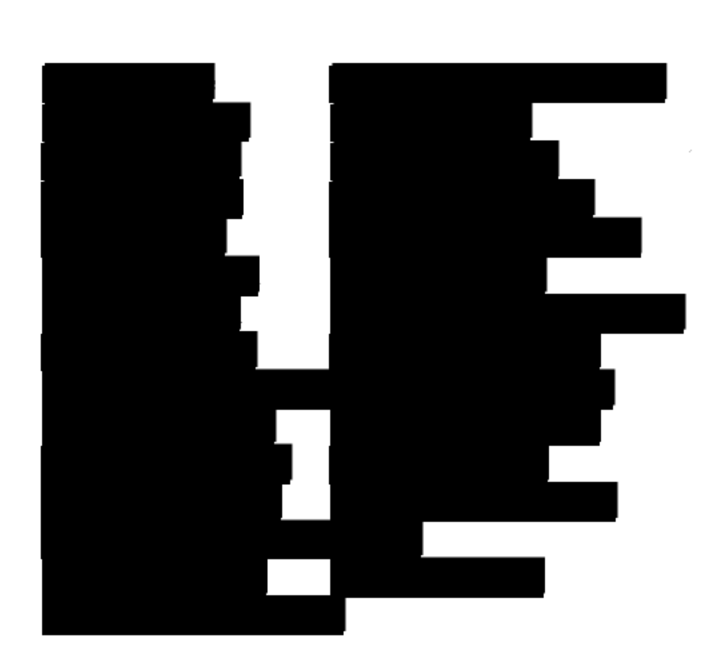
Taclay, Junas Anthony, Booking # 8096654 MH/22 511 145
Arrest History: A check of suspect Taclay's criminal history revealed [redacted]. Taclay's prior arrests include [redacted].

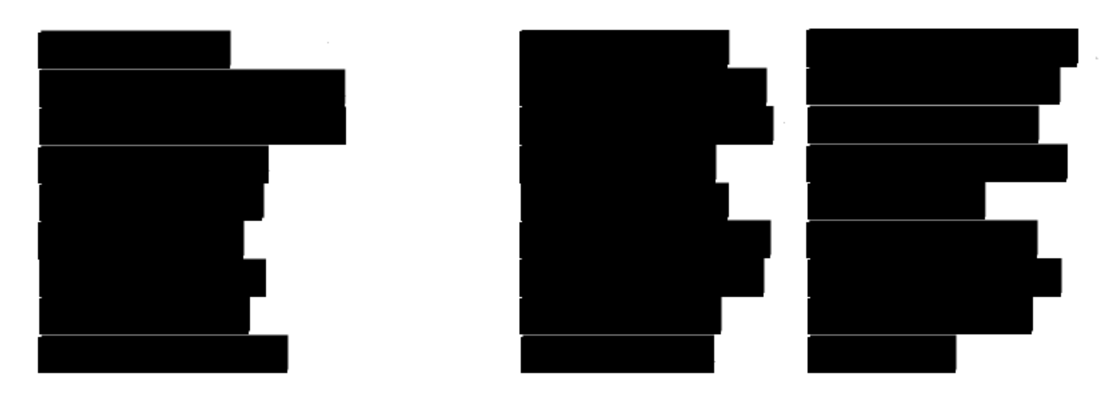
Per this incident, Suspect Taclay was arrested for Attempt Murder on a peace officer. He was convicted of Assault with a Deadly Weapon against a peace officer, 245(D) PC and sentenced to eight years state prison.

INFORMANT

[redacted] MH/25 DOB: [redacted]
150 W. Carson St., Carson (Sav-On Drugs)

CIVILIAN WITNESSES:



[redacted]


[redacted]

INJURIES:
Civilian [redacted] received three small scratches to her left ear lobe, when Sergeant Jaen's bullet shattered the front window [redacted], causing a glass shard to scratch Ms. [redacted] ear. Paramedics treated Ms. [redacted] at the scene and released her. No other persons were injured.

PHYSICAL EVIDENCE:
Numerous expended shall casings. See Exhibit A, page 201-204 (Firearms Identification reports)

INVESTIGATOR OBSERVATIONS:
I (Internal Affairs Bureau Sergeant Key) observed several expended shell casings in the southeast portion of the parking lot of the location. Sergeant Jaen's radio car was parked in the same parking lot. The radio car was facing southeast and was parked in the southeast portion of the parking lot. The shooting scene is a strip mall, located at 265 E. Carson Street, which is on the northwest corner of Carson Street and Dolores Street.

Across the street, on the southeast corner of Carson Street and Dolores Street, I observed a bullet hole in the window of a business located at 333 E. Carson Street. The window was facing north. Inside the location, I saw broken glass and an expended round lying on the floor. I also observed an injured female [redacted], [redacted]. Ms [redacted] and several witnesses said that the injury was caused when a bullet came through the window and broke the glass. The broken glass caused three small scratches to cut Ms [redacted] left earlobe. An expended cartridge was found several feet behind Ms. [redacted]. Sergeant Jaen said he fired his weapon in an east to southeasterly direction, in the same direction as the broken window.

WEAPONS USED BY DEPUTY PERSONNEL:
9MM Beretta. Sergeant Jaen stated that he normally carries his weapon with fifteen rounds in the clip and one round in the chamber. Although Sergeant Jaen only remembers firing his weapon three times, when Homicide investigators checked his weapon, they found eleven rounds in his clip and one round in the chamber, indicating he fired four times. **Refer to Exhibit A, pages 111-115.**

Four 9MM Winchester shell casings were found in the parking lot of the strip mall, where Sergeant

A bullet hole in a glass window on the west side of Realty World (302 East Carson Street, Suite 106, and a bullet strike to the top portion of a short pony wall located inside the interior of the Realty World was found. A copper jacket was also located on the carpeted floor, in the southwest corner of Realty World's office. **Refer to Exhibit A, page 83.**

WEAPONS USED BY SUSPECTS:
Blue steel pistol, NFD. The weapon was not recovered; however, eight 40 caliber Smith and Wesson cartridge cases were recovered from the street. One 9MM Federal shell casing was found lying in the gutter adjacent to the west curb line of Dolores Street. **Refer to Exhibit A, pages 82-83.**

PROPERTY DAMAGE:
The front window of Realty World, located at 302 East Carson Street, was shattered.

CRIMINAL INVESTIGATOR:
Homicide Detectives [redacted] and Antoinette Martinez

LIGHTING OR WEATHER CONDITIONS:
The incident occurred during daytime (1617 hours).

INVOLVED EMPLOYEES STATEMENTS:
On Saturday, April 21, 2004, at 2045 hours, Sheriff's Department Homicide Investigators Detectives Tapia and Martinez interviewed Sergeant Carlos Jaen. This interview was conducted at the Carson Sheriff's Station. Below is a synopsis of the recorded interview. The audio tape of Sergeant Jaen's interview is a permanent part of this investigation.

Sergeant Jaen stated that he was currently assigned to Transit Services Bureau as a field supervisor. His primary responsibility was to supervise Transit Services Bureau deputies in the South Bay area, which includes the City of Carson and/or unincorporated areas.

Sergeant Jaen stated that on April 21, 2004, he was on duty working as Unit #600S. He was working the second half of a double shift. Jaen was dressed in "Class A" uniform and was driving a marked Sheriff's Department black and white patrol vehicle. He drove to "Carson Lock and Key" to have a key made. He parked in a northerly direction, in the business's parking lot. "Carson Lock and Key" is located in a strip mall, which is on the northwest corner of Dolores Street and Carson Street.

While inside the location he heard what he described as a loud vehicle backfire. He went outside to check the area. He walked between his patrol vehicle and a white van, which was parked on the west side of his patrol vehicle. He then walked toward the rear of his patrol vehicle. He checked the area but did no t see anything unusual.

A few seconds later he observed a black sports utility vehicle, which was raised high off of the

A few seconds later he observed a black sports utility vehicle, which was raised high off of the ground. It had tinted windows and chrome rims, and was traveling south on Dolores St. approaching Carson Street. The vehicle was traveling fast, and it came to an abrupt stop at Carson Street. Jaen then noticed a green four-door small Chevrolet traveling two car lengths behind the dark colored sports utility vehicle. The green Chevrolet stopped in the northbound lanes of Dolores Street. The right front passenger (later identified as Suspect Taclay) leaned out of the window and was holding a handgun with both hands and both arms out stretched in a combat style grip.

Sergeant Jaen stated that the suspect (Taclay) began shooting at the right side of the black sports utility vehicle in front of him. Jaen said he believed Taclay fired three to five rounds from a blue steel semi automatic handgun. Jaen stated that the green vehicle stopped parallel to him, and he got a clear view of Suspect Taclay. Jaen said that he could not believe what he was seeing until Taclay looked at him. At that point, Jaen stated he moved toward his patrol vehicle for cover. Jaen then saw Taclay turn toward him and point the firearm at him. Jaen stated that because he feared for his safety, he drew his department issued firearm and fired at Taclay. Jaen said that he then sought cover while Taclay continued to point the gun at him. As the suspect vehicle began moving forward, Jaen fired two more times at the suspect. He stated that he did not know if any of his rounds struck the suspect vehicle, and that he did not believe Taclay fired back.

Sergeant Jaen said that after his initial shot was fired, the suspect sat low in his seat and pointed the handgun at him with one hand. Jaen stated that he focused his sights on the suspect, and he continuously moved as the suspect vehicle moved. He said that while moving, he tried to obtain cover, defend himself and recognize where the threat was coming from. Jaen stated that he saw that his backdrop for his shots was a small block wall and no one was behind it. He said that it was his hope that from the angle he was shooting he would be able to utilize the block wall as his backdrop.

Jaen said the suspect's vehicle traveled south on Dolores Street and made a right turn on Carson Street. Sergeant Jaen stated that he maintained cover and continued observe the direction of the vehicle. Via his handheld radio Jaen broadcast emergency traffic, requesting assistance from Carson Station deputies. Carson Station deputies responded and set up a containment. Several people were detained, and Sergeant Jaen responded to perform a field show up. Jaen identified Taclay as the person he saw shooting at the black sports utility vehicle, as well as the person who pointed a handgun at him.

WITNESSES STATEMENTS:

Witness [redacted]

Witness [redacted] stated [redacted] at Carson Lock and Safe. [redacted] making keys for Sergeant Jaen when he heard gunshots coming from outside of [redacted] business. He stated that he observed Sergeant Jaen go outside. [redacted] said that he observed Jaen remove his handgun from his holster, duck down and fire his handgun. **Refer to Exhibit A, page 35, 71-73.**

IAB NOTE: Numerous other people were interviewed; however, none of them witnessed Sergeant Jaen's firing his firearm. Refer to Exhibit A, Homicide report.

Witness [redacted] stated that [redacted] at Midas (333 E. Carson Street, Carson). He was standing near the west facing garage doors when he heard three gunshots. He then observed the front passenger of a dark green vehicle pointing a gun out of the passenger side of the vehicle, at which time he heard more gunshots coming from the direction of the vehicle.

The following witnesses heard gunshots and observed the driver of a green vehicle leaning out of the driver side window, shooting a gun: [redacted], [redacted] **Refer to Exhibit A, page 35.**

The following witness heard gunshots and observed the passenger of a white SUV shooting from the window: [redacted], **Refer to Exhibit A, page 36**

Witness [redacted] stated that she saw two males leaning out of a vehicle with dark tinted windows. The males were shooting a gun in a northeast direction, from a dark colored vehicle. **Refer to Exhibit A, page 36, 40**

The following witnesses heard gunshots and observed Sergeant Jaen standing in the parking lot holding his handheld radio: [redacted], [redacted], [redacted], [redacted], [redacted], **Refer to Exhibit A, pages 19-21;** [redacted], [redacted], **pages 36, 72-73**

The following witnesses heard gun shots and witnessed a bullet break the front window of Realty World. They also witnessed the injury to [redacted]: [redacted], [redacted], [redacted], [redacted] [redacted], [redacted], [redacted], [redacted]. **Refer to Exhibit A, pages 11-17;** [redacted], **page 21-22.**

SUSPECT/INMATE STATEMENTS:

Suspect Junas Taclay

Suspect Taclay was interviewed by Carson Station detective Michael Austin. Taclay denied pointing a gun at Sergeant Jaen. He stated that he was the passenger in a vehicle. As they traveled north on Dolores Street, someone began shooting at them. They then fled the location. **Refer to Exhibit A, page 34.**